



1 GEORGE A. RILEY (S.B. #118304)
griley@omm.com
2 MARK E. MILLER (S.B. #130200)
markmiller@omm.com
3 DAVID R. EBERHART (S.B. #195474)
deberhart@omm.com
4 O'MELVENY & MYERS LLP
Two Embarcadero Center, 28th Floor
5 San Francisco, California 94111-3823
Telephone: (415) 984-8700
6 Facsimile: (415) 984-8701

7 Attorneys for Plaintiff
24/7 Customer, Inc.
8

9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11 **SAN JOSE DIVISION**

12 24/7 Customer, Inc.,

13 Plaintiff,

14 v.

15 24-7 Intouch, and Ascenda USA, Inc.,

16 Defendants.
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Case No. 14-CV-02561-EJD

JOINT MOTION TO DISMISS

1 Pursuant to a Settlement Agreement, 24/7 Customer, Inc., 24-7 Intouch, Incorporated, and
2 Ascenda USA, Inc., by and through their respective counsel of record, hereby respectfully request
3 that the Court dismiss the above-captioned action as follows:

- 4 1. All claims, counterclaims, and defenses in the above-captioned Action are
- 5 dismissed with prejudice; and
- 6 2. Each party will bear its own costs and attorney's fees.
- 7 3. The Clerk shall close this file.

8 Dated: January 8, 2016

O'MELVENY & MYERS LLP

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10 By: /s/ Mark E. Miller
Mark E. Miller
11 Attorneys for Plaintiff 24/7 Customer, Inc.

12 Dated: January 8, 2016

SINGER / BEA LLP

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14 By: /s/ Benjamin L. Singer
Benjamin L. Singer
15 Attorneys for Defendants 24-7 Intouch and
16 Ascenda USA, Inc.

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18 **ATTESTATION:** Pursuant to Local Rule 5-1(i)(3) I hereby attest that concurrence in the filing
19 of this document has been obtained from Benjamin Singer.

20 By: s/ Mark E. Miller
Mark E. Miller
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